

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

JASON GOODMAN

Plaintiff,

vs.

CHRISTOPHER ELLIS BOUZY, BOT  
SENTINEL, INC, GEORGE WEBB  
SWEIGERT, DAVID GEORGE SWEIGERT,  
BENJAMIN WITTES, NINA JANKOWICZ,  
ADAM SHARP, MARGARET ESQUENET,  
THE ACADEMY OF TELEVISION ARTS  
AND SCIENCES, SETH BERLIN,  
MAXWELL MISHKIN

Defendants

Case No.: 1:21-cv-10878-AT-JLC

**RESPONSE IN OPPOSITION TO  
MOTIONS TO DISMISS**

Pro Se plaintiff Jason Goodman (“Goodman”) respectfully submits this response in opposition to defendants Bouzy, Bot Sentinel, Miskin, Berlin and Sweigert’s motions to dismiss.

**Bouzy and Bot Sentinel**

Defendants’ Bouzy and Bot Sentinel filed a motion to dismiss which relies on the non-legal, purely personal opinion of Judge Valerie Caproni who found Goodman to be a “conspiracy theorist”. Absent any legal definition of “conspiracy theorist” the phrase is nothing more than a disparaging personal insult. Insults are not the same as legal opinions and have no legal meaning, no force and effect and no place in any U.S. District Court’s ruling. None of Goodman’s so-called “conspiracy theories” have been challenged on their merits or even addressed by defendants accused of conspiring. Defendants’ motion to dismiss attempts to deceive the Court by citing sham litigation fomented by David George Sweigert (“Sweigert”) in the Eastern District of Michigan (“MIED”). Judge Gershwin Drain’s order was dismissed almost

RESPONSE IN OPPOSITION TO MOTIONS TO DISMISS - 1

1 immediately after being issued. As Goodman asserted in his objection, the judge acted ultra  
2 vires when he issued an order attempting to enjoin Goodman's legal, first amendment protected  
3 activities. (*See* Sweigert v Goodman Case 2:22-cv-10002-GAD-KGA ECF No. 22 page 1 line  
4 22). Chilling Goodman's first amendment activity is exactly what Goodman alleges defendants  
5 have been attempting for the past six years. Repeated efforts to dismiss Goodman's well-  
6 founded claims as "conspiracy theory" fail to refute evidence backed claims or provide any  
7 countermanding evidence.  
8

9 Defendants' motion fundamentally depends on their false assertion that Goodman  
10 "volunteered" during a phone call, "that he has been accused online of rape", but the unedited  
11 transcript of that phone call contradicts their claim. (ECF No. 108-3 page 10 line 17)  
12

13 Defendants rely on a gerrymandered transcript to substantiate their defense. Goodman  
14 clearly stated "go try to find somebody who claims I raped them. You will not find that." No  
15 less ambiguous statement could be made. Defendants omit this because a reasonable observer  
16 who takes that statement as confirmation there was an accusation would have to deliberately  
17 disregard the truth or be completely unable to discern truth from falsity.  
18

19 Defendants' motion to dismiss also relies on the false conclusion that they sent Goodman  
20 pre-motion letters pursuant to Judge Torres' Individual Practices in Civil Cases Rule III.B.ii.  
21 The communications in question however do not meet the criteria set forth in Judge Torres' rules  
22 and the senders had not filed notices of appearance at the time they were sent, so they did not  
23 actually legally represent defendants at that time. Goodman construed the emails to be more  
24 extrajudicial harassment along the lines of the multitude of harassing communications  
25 defendants have sent through this litigation in a continuous and ongoing manner.  
26  
27  
28

1 Defendants further protest the previous complaint on the grounds that it amounts to a  
2 “sprawling” list of “greatest hits” of past disputes and somehow exceeds the leave granted. The  
3 Court had ordered Goodman to “plead cognizable jurisdictional facts” and put no other limitation  
4 on the scope of the amendment. Defendants engaged in a pattern of racketeering activity that has  
5 harmed Goodman’s business and deprived him of property. That activity was coordinated to  
6 serve a common purpose and was executed over the course of years through an association in  
7 fact enterprise that they derived financial or other benefits from either directly or indirectly,  
8 giving rise to the RICO allegations in the amended complaint.  
9

### 10 **Defendant Sweigert**

11  
12 Sweigert’s motion to dismiss, spread across defective pre-motion letters and multiple  
13 ECF filings, relies on the doctrine of res judicata and fails for this reason. In 2019, the honorable  
14 Nelson Román found res judicata did not apply where plaintiffs showed “that Defendants’  
15 scheme was astronomically “greater” than and “different” from their previous understanding.”  
16 Aghaeepour v. N. Leasing Sys., Inc., 378 F. Supp. 3d 254, 269 (S.D.N.Y. 2019). Goodman’s  
17 understanding of the scope of defendants’ scheme now is indeed astronomically greater and  
18 different than it was during the previously cited individual cases. Sweigert established and  
19 operated an enterprise (the “Enterprise”) which is engaged in and affected interstate commerce.  
20

21 Over the past six years, Goodman has found evidence in the public domain that will  
22 prove that defendants are members of a modern American equivalent of the former East German  
23 Stassi. Like the Soviet era secret police, but updated with the reach of the internet, defendants  
24 and other non-parties monitor political activists, government dissidents and controversial  
25 journalists including Goodman. The Stassi used a tactic called Zersetzung which translates to  
26 “decomposition” or “disruption” (<https://en.wikipedia.org/wiki/Zersetzung>). According to  
27

1 Wikipedia, Zersetzung was “a psychological warfare technique used by the Ministry for State  
2 Security (Stasi) to repress political opponents in East Germany during the 1970s and 1980s.  
3 Zersetzung served to combat alleged and actual dissidents through covert means, using secret  
4 methods of abusive control and psychological manipulation to prevent anti-government  
5 activities. People were commonly targeted on a pre-emptive and preventative basis, to limit or  
6 stop politically incorrect activities that they may have gone on to perform, and not on the basis of  
7 crimes they had actually committed.” Goodman alleges Sweigert directs his own modern day  
8 “Zersutzung” disruption operation, manifest in the courts and through social media by and with  
9 the association in fact Enterprise.  
10  
11

### 12 CONCLUSION

13 Goodman respectfully moves the Court for leave to file an amended complaint to address  
14 the defects identified by defendants and includes the attached, proposed amended complaint.  
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16

17 Signed this 28<sup>th</sup> day of February 2023

18 Respectfully submitted,



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